

REMARKS

As a preliminary, Applicant and Applicant's representative thank the Examiner for the interview of April 7, 2010.

By the present amendment, claims 1 and 2 have been presented with separate paragraphs. Further, claim 1 has been amended to clarify that

- the coupling ring is provided with (a) an irrigation coupling path in fluid communication with the irrigation channel and (b) an outflow coupling path in fluid communication with the outflow channel, respectively,
- the connector comprises (a) an irrigation communication path in fluid communication with the irrigation coupling channel and (b) an outflow communication path in fluid communication with the outflow coupling path, respectively,
- the coupling ring comprises a branch-off path in fluid communication with the irrigation channel and with the outflow channel, respectively,
- the first pressure sensor faces the irrigation communication path and the outflow communication path, respectively,
- the second pressure sensor faces the blind path.

Support for the added recitations is found in the original application, for example, at least original claims 4-5 and paragraphs 0017 and 0020.

Accordingly, claims 3-12 have been cancelled.

New claim 13 corresponding to claims 6-7 but dependent on claim 1 has been added.

New claims 14-17 have been added. Support for the added recitation is found in the original application, for example, at least paragraph 0023.

Claims 1-2, 7, and 13-17 are pending in the present application. Claim 1 is the only independent claims.

I. Objection to the drawings

In the Office Action, the drawings are objected to. It is alleged that the claimed elements and connections are not shown in the drawings.

Reconsideration and withdrawal of the objection is respectfully requested.

As discussed at the interview, the various fluid paths and connections are exemplified and illustrated in the specification as follows:

- Irrigation and outflow channels (cannula): 5 and 9
- Irrigation and outflow coupling paths (coupling part): 13 and 15
- Irrigation and outflow communication paths (connector): 19 and 21
- Branch-off and blind paths: 27 and 29
- First and second sensors: 18a and 18b

It is submitted that these elements and their arrangement are well described and shown in the Figures.

In view of the above, it is submitted that the objections should be withdrawn.

II. Lack of enablement rejection

In the Office Action, claims 1-12 are rejected under 35 U.S.C. 112, first paragraph, as lacking enablement.

Reconsideration and withdrawal of the rejection is respectfully requested.

Claims 1 and 2 have been presented with separate paragraphs, so as to clarify the various parts of the system, and the various irrigation and outflow channels and paths have been clarified.

In view of the above, it is submitted that the rejection should be withdrawn.

III. Anticipation rejection

In the Office Action, claims 1-12 are rejected under 35 U.S.C. 102(b) as anticipated by US 5,836,909 to Cosmescu ("Cosmescu").

It is alleged in the Office Action that Cosmescu discloses the same channels and pressure sensors 38 and 40.

Reconsideration and withdrawal of the rejection is respectfully requested.

As discussed at the interview, in Cosmescu, pressure sensor 38 is placed directly on the irrigation fluid channel (see col. 8, lines 31-41 and Fig. 2) while vacuum sensor 40 is placed directly on the suction (outflow) channel (see col. 8, lines 42-48 and Fig. 4). Each sensor is exclusively dedicated to measuring the pressure on the channel on which it is mounted. Thus, in Cosmescu, each sensor operates independently without backup, i.e., Cosmescu does not provide any backup sensor.

In contrast, the presently claimed invention provides a significant advance over Cosmescu because, in the presently claimed invention, the first sensor can be used for detecting the irrigation and outflow pressures, respectively, via the respective coupling paths and the communication paths, while the second sensor can be used for a backup (security) measurement

via the branch-off path and the blind path, as discussed in the present specification, for example, at paragraph 0022.

In addition, when both the irrigation and outflow paths are closed, the second sensor can be used to measure the pressure in the operated area via the irrigation and/or outflow channels of the cannula, without the need for a dedicated channel in the cannula, as discussed in the present specification, for example, at paragraph 0027.

These features of the presently claimed invention are not taught or suggested in Cosmescu. Therefore, the present claims are not anticipated by, and not obvious over, Cosmescu.

In addition, with respect to the dependent claims, it is submitted that Cosmescu fails to teach or suggest the combined features of each of these dependent claims. In particular, Cosmescu fails to teach or suggest taps at locations as recited in present claim 2, and Cosmescu fails to teach or suggest a connector with arrangements of paths and/or sensors and/or polarized connection as recited in each of respective claims 13-16. Therefore, each of the dependent claims is not anticipated by, and not obvious over, Cosmescu.

In view of the above, it is submitted that the rejection should be withdrawn.

Conclusion

In conclusion, the invention as presently claimed is patentable. It is believed that the claims are in allowable condition and a notice to that effect is earnestly requested.

Application No. 10/591,481
Art Unit: 3739

Amendment under 37 CFR §1.111
Attorney Docket No.: 063001

If there is, in the Examiner's opinion, any outstanding issue and such issue may be resolved by means of a telephone interview, the Examiner is respectfully requested to contact the undersigned attorney at the telephone number listed below.

If this paper is not considered to be timely filed, the Applicants hereby petition for an appropriate extension of the response period. Please charge the fee for such extension and any other fees which may be required to Deposit Account No. 50-2866.

Respectfully submitted,
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